

REMARKS

The present application was filed on December 1, 1998 with claims 1 through 28. Claims 1 through 35 are presently pending in the above-identified patent application.

In the Office Action, the Examiner has rejected claims 1, 16, 22, and 28 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention. The Examiner has also required restriction to one of a number of identified inventions under 35 U.S.C. §121.

Section 112 Rejections

Claims 1, 16, 22, and 28 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Regarding claim 1 (and claims 16, 22 and 28), the Examiner asserts that “it is unclear where Applicant’s step is in the claim for the ‘creation time-stamp,’” and that there appears to be a step missing.

Applicant notes that claim 1 is directed to a method for providing an electronic document and refers to both a creation time-stamp and a requested time-stamp. The versions of the electronic document are identified by a creation time-stamp, which is created *prior* to the utilization of the method for providing the electronic document. In other words, *an electronic document having a creation time-stamp is assumed to exist prior to the execution of the methods defined by Claims 1, 16, 22, and 28*. Thus, the method of claim 1 should not include the step of creating the “creation time-stamp.”

Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

Restriction Requirement

The Examiner found that the claims of the instant application, which are directed to techniques for processing a request for an electronic document, describe three distinct inventions. The Examiner therefore required that the application be restricted to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-15, drawn to a method, a system, and an article of manufacture fore receiving a request for an electronic document, the request including a

requested time-stamp indicating a time associated with a desired version of the electronic document, identifying a function of the creation time-stamp, and identifying an address of the version of the electronic document, classified in class 715, subclass 511.

5 II. Claims 16-28, drawn to a method, a system, and an article of manufacture for receiving a request for an electronic document associated with the domain name, the electronic document having multiple versions, identifying as a function of the creation time-stamp and the requested time-stamp a machine corresponding to a version of the domain name, and
10 transmitting an indication of the identified machine storing the electronic document, classified in class 707, subclass 10.

III. Claims 29-35, drawn to a method for receiving a request for the electronic document with the request including a requested time-stamp and a domain name with the domain name being associated with a first domain for a first
15 time period, and identifying one of the first domain or the second domain, classified in class 707, subclass 1.

*With regard to the separation of Groups I and II, Applicant notes that these claims were presented in the application as originally filed. The claims of Groups I and II have already been searched and considered by the Examiner. There have been
20 multiple Office Actions and an Appeal involving these claims. Applicant is at a loss to understand why this restriction is being presented at this late stage*

More generally, Applicant respectfully asserts that the restriction requirement is improper and should be withdrawn, since each Group is generally drawn to techniques for processing a request for an electronic document, and it is believed that a
25 complete search for each Group would require a search of most, if not all, of the individual classes and subclasses. Accordingly, Applicant submits that an examination of both Groups would not impose a serious burden on the Examiner. Where, as here, "the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or
30 independent inventions." MPEP §803.

Applicant notes that claim 29 requires receiving a request for said electronic document, said request including a requested time-stamp and a domain name, wherein said *domain name is associated with a first domain for a first time period and a second domain for a second time period; and identifying one of said first domain or said*
5 *second domain utilizing a time indicated by said time-stamp.* Therefore, independent claim 29 requires a domain name that is associated with a time-stamp, as is required in one or more of claims 1-28. Thus, contrary to the Examiner's assertion, independent claim 29 is related to a domain name associated with the time-stamp and is *not* an invention that is independent or distinct from the invention originally claimed.

10 Applicant respectfully requests reconsideration of the withdrawal of claims 29-35 and the consideration of the patentability of such claims in the present application.

Accordingly, it is respectfully requested that the restriction requirement be reconsidered and withdrawn and that all of the pending claims in the application be
15 examined together in this application, or, alternatively, *Applicant hereby elects Groups I and II, claims 1-28, which have already been searched and considered together for prosecution in this application.* Alternatively, Applicant elects Group I with traverse

All of the pending claims, i.e., claims 1 through 35, are in condition for allowance and such favorable action is earnestly solicited.

20 If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

Respectfully submitted,



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